

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

H.T. DEVELOPMENT, LLC,

Plaintiff,

2007-CV-0109

v.

**IMPERIAL PROPERTIES, INC., GRAND
CARIBBEAN PROPERTIES, INC., ISLAND
ESTATES LIMITED PARTNERSHIP,
BAXTER REALTY, P.C., and ISHERWOOD
SAN MARTIC REAL ESTATE, INC., d/b/a
RE/MAX ST. CROIX,**

Defendants.

**TO: Susan Bruch-Moorehead, Esq.
Todd H. Newman, Esq.
Wilfredo A. Geigel, Esq.
Douglas L. Capdeville, Esq.**

**ORDER GRANTING DEFENDANTS IMPERIAL PROPERTIES, INC., GRAND
CARIBBEAN PROPERTIES, INC., AND ISLAND ESTATES LIMITED
PARTNERSHIP'S MOTION TO COMPEL**

THIS MATTER came before the Court upon Defendants Imperial Properties, Inc., Grand Caribbean Properties, Inc., and Island Estates Limited Partnership's Motion to Compel Responses to First Set of Interrogatories and First Set of Requests For Production to Plaintiff (Docket No. 54). Plaintiff filed a response to said motion, and said Defendants filed a reply thereto.

H.T. Development, LLC v. Imperial Properties, Inc.

2007-CV-0109

Order Granting Motion to Compel

Page 2

The Court notes that the parties failed to submit a joint stipulation pursuant LRCi 37.2(a). Since the matter is fully briefed, in the interest of judicial economy, the Court will rule upon the papers which could be considered filed consistent with LRCi 37.2(b). However, all future discovery motions that fail to comply with the requirements of LRCi 37.2(a) will not be considered pursuant to LRCi 37.2(c).

Having reviewed the submissions of the parties, the Court makes the following findings and conclusions.

Interrogatory No. 1: The name of any attorney consulted and the date of the initial consultation do not constitute privileged information. Plaintiff's objection is overruled.

Request For Production No. 1.a.: This request is not overly broad, vague or burdensome. It is restricted in time and scope. Moreover, in the absence of a privilege log, the Court finds that Plaintiff has waived any applicable privilege(s). Plaintiff's objection is overruled.

Request For Production No. 1.b.iii.: The request is not overly broad nor irrelevant. Moreover, in the absence of a privilege log, the Court may find that Plaintiff has waived any applicable privilege. Plaintiff's objection is overruled.

Request For Production No. 1.b.iv.: This request is not overly broad, vague or burdensome. It is very specific and narrow in scope. Moreover, in the absence of a privilege log, the

H.T. Development, LLC v. Imperial Properties, Inc.
2007-CV-0109
Order Granting Motion to Compel
Page 3

Court finds that Plaintiff has waived any applicable privilege(s). Plaintiff's objection is overruled.

Request For Production No. 1.b.v.: This request is not irrelevant. Plaintiff's objection is overruled.

Request For Production No. 1.b.vi.: This request is not irrelevant. Plaintiff's objection is overruled.

Request For Production No. 1.b.vii.: This request is not overly broad or burdensome, nor is it irrelevant. It is very specific and narrow in scope. Plaintiff's objection is overruled.

Request For Production No. 1.b.viii.: This request is not irrelevant. Moreover, in the absence of a privilege log, the Court finds that Plaintiff has waived any applicable privilege(s). Plaintiff's objection is overruled.

Request For Production No. 1.b.ix.: This request is not irrelevant. Moreover, in the absence of a privilege log, the Court finds that Plaintiff has waived any applicable privilege(s). Plaintiff's objection is overruled.

Request For Production No. 3: This request is not irrelevant. Moreover, in the absence of a privilege log, the Court finds that Plaintiff has waived any applicable privilege(s). Plaintiff's objection is overruled.

H.T. Development, LLC v. Imperial Properties, Inc.

2007-CV-0109

Order Granting Motion to Compel

Page 4

Accordingly, it is now hereby **ORDERED**:

1. Defendants Imperial Properties, Inc., Grand Caribbean Properties, Inc., and Island Estates Limited Partnership's Motion to Compel Responses to First Set of Interrogatories and First Set of Requests For Production to Plaintiff (Docket No. 54) is **GRANTED**.
2. Plaintiff shall, within ten (10) days from the date of entry of this order, supplement its responses to Interrogatory No. 1 of said Defendants' First Set of Interrogatories and Request Nos. 1.a., 1.b.iii., 1.b.iv., 1.b.v., 1.b.vi., 1.b.vii., 1.b.viii., 1.b.ix., and 3 of said Defendants' First Set of Requests For Production.
3. Plaintiff has waived any other objections it may have or may have had to the discovery at issue.

ENTER:

Dated: July 29, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE